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Attorney Docket No. 10113681

MAY 03 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Ming-Cheng CHANG, Tieh-Chiang WU, Yi-Nan CHEN, Jeng-Ping LIN**

Filed: **1/21/2004**

Appl. No.: **10/761,985**

Examiner: **Tran, Thien F**

Conf. No.: **4317**

Art Unit: **2811**

Title: **DYNAMIC RANDOM ACCESS MEMORY CELL LAYOUT AND FABRICATION METHOD THEREOF**

Date: **May 3, 2005**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Responsive to the election requirement mailed on April 5, 2005, Applicant hereby elects species 1 represented by Fig. 3 without traverse. Claims 1, 2, 3, 8 and 9 are readable thereon.

Non-elected claims 4-7 relate to the embodiment shown in Fig. 5 of the present application. Claim 1 is believed to be generic to the species.

Applicant's election is made without prejudice. As noted by the Examiner, upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of the generic claim as provided by 37 CFR 1.141.

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No fee is believed to be due in connection with this response. If, however, the Commissioner considers that a fee is due in connection with this response, authorization is made to charge any fee which may be required to Deposit Account No. 502447.

A prompt and favorable action on the merits of this application is now respectfully requested.

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office to (703) 872-9308 on the date shown below:

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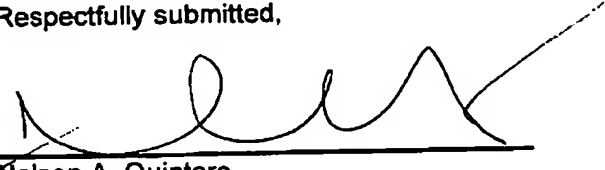
(Name of Person Transmitting)

(Signature)

May 3, 2005

(Date)

Respectfully submitted,


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